

Attorney Docket No. 108298352US3
Disclosure No. 98-0689.03

REMARKS

Claims 52-63 were pending in this application at the time the present Office Action was mailed. Claims 52 and 61 have been amended, and new claims 64-67 have been added in the present response. Accordingly, claims 52-67 are now pending in this application.

In the Office Action mailed September 30, 2003, claims 52, 53, 60 and 62 were rejected, and claims 54, 55, 61 and 63 were objected to. More specifically, the status of the application in light of this Office Action is as follows:

- (A) The disclosure was objected to because of a typographical error;
- (B) Claims 52, 53, 60 and 62 were rejected under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent No. 5,906,472 to Nakamura ("Nakamura");
- (C) Claims 54, 55, 61 and 63 were objected to as being dependent upon a rejected base claim, but were indicated to be allowable if rewritten to include the features of the claims from which they depend; and
- (D) Claims 56-59 were allowed.

Applicants' attorney wishes to thank the Examiner for engaging in a telephone conference on December 22, 2003. During that telephone conference, the present Office Action, Nakamura, claims 52 and 60, and a proposed claim amendment to claim 52 were discussed. The Examiner agreed that claim 60 is patentable over Nakamura and that the proposed claim amendment patentably distinguishes claim 52 over Nakamura. Claim 52 has been amended accordingly.

A. Response to the Disclosure Objection

The disclosure was objected to because of a typographical error in claim 61. Claim 61 has been amended to correct the typographical error without narrowing the scope of this claim. Accordingly, the objection to claim 61 should be withdrawn.

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B. Response to the Section 102(a) Rejection Over Nakamura

Claims 52, 53, 60 and 62 were rejected under 35 U.S.C. § 102(a) as being anticipated by Nakamura. In light of the agreement reached during the December 22 telephone conference, the rejection of claims 52 and 60 will be withdrawn.

Claims 53 and 62 depend from claims 52 and 60, respectively. Accordingly, the Section 102(a) rejection of these claims should be withdrawn for the reasons discussed above with reference to claims 52 and 60 and for the additional features of these claims.

C. Response to the Indication of Allowable Subject Matter

Claims 54, 55, 61 and 63 were indicated to be allowable if rewritten in independent form to include the features of the claims from which they depend. Claims 54, 55, 61 and 63 have not been rewritten in independent form because their respective independent claims should now be in condition for allowance for the reasons described above.

D. Allowed Claims

Claims 56-59 were allowed.

E. New Claims 64-67

New independent claim 64 has, *inter alia*, features generally similar to those included in claim 56. Accordingly, new claim 64 is patentable over Nakamura.

New claims 65-67 depend from claim 64. Accordingly, new claims 65-67 are patentable over Nakamura for the reasons discussed above with reference to claim 64 and for the additional features of these claims.

F. Conclusion

In light of the foregoing amendments and remarks, all of the pending claims are in condition for allowance. Applicants, therefore, request reconsideration of the application and an allowance of all pending claims. If the Examiner wishes to discuss

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the distinctions between the claims and the cited references, or any other distinctions, the Examiner is encouraged to contact David Dutcher by telephone. Additionally, if the Examiner notices any informalities in the claims, she is also encouraged to contact David Dutcher to expediently correct any such informalities.

Respectfully submitted,

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